

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

| | | |
|---------------------------------|---|-------------------------------|
| LEXINGTON FURNITURE |) | |
| INDUSTRIES, INC. d/b/a |) | |
| LEXINGTON HOME BRANDS, |) | Docket No. 1-19-cv-6239 (PKC) |
| |) | |
| <i>Plaintiff,</i> |) | |
| |) | |
| v. |) | NOTICE OF APPEAL |
| |) | |
| THE LEXINGTON COMPANY, AB d/b/a |) | |
| THE LEXINGTON CLOTHING |) | |
| COMPANY, |) | |
| <i>Defendant.</i> |) | |
| |) | |

Notice is hereby given that, pursuant to 28 U.S.C. § 1291, The Lexington Company, AB d/b/a The Lexington Clothing Company, (Defendant) in the above-named case, hereby appeals to the United States Court of Appeals for the Second Circuit from all aspects of the final Judgment entered on June 2, 2022 (Doc. No. 213) (annexed as Exhibit A) and related rulings and orders, including, but not limited to the United States District Court for the Southern District of New York from the Opinion and Order entered in this action on October 24, 2022, denying Defendant's motions pursuant to Rules 50(a) and 59(e) of the Federal Rules of Civil Procedure and granting Plaintiff's motion for a permanent injunction the 24th day of October, 2022 (Doc. No. 258).

Dated: November 22, 2022

Respectfully submitted,

BLANK ROME LLP

/s/ Timothy D. Pecsénye

Timothy D. Pecsénye

Blank Rome LLP

One Logan Square

130 North 18th Street

Philadelphia, PA 19103

Phone: (215) 569-5500

Email: Pecsénye@BlankRome.com

*Attorney for The Lexington Company AB d/b/a The
Lexington Clothing Company*

CERTIFICATE OF SERVICE

I hereby certify that on November 22, 2022, the foregoing was electronically filed through the Court's CM/ECF system and thereby served on the following recipients:

Michael Lawrence Simes

McGuireWoods LLP
1251 Avenue of the Americas
20th Floor
New York, NY 10020
212-548-7013
Fax: 212-715-6260
Email: msimes@mcguirewoods.com

Lucy Jewett Wheatley

McGuire Woods LLP
800 East Canal Street, Gateway Plaza
Richmond, VA 23219
Tel: (804) 775-1000
lwheatley@mcguirewoods.com

Amanda L. DeFord

McGuire Woods LLP
800 East Canal Street, Gateway Plaza
Richmond, VA 23219
Tel: (804) 775-1000
adeford@mcguirewoods.com

Matthew W. Cornelia

McGuire Woods LLP
2000 McKinney Avenue, Suite 1400
Dallas, TX 75201
Tel: (214) 932-6400
mcornelia@mcguirewoods.com

*Counsel for Plaintiff Lexington Furniture Industries,
Inc. d/b/a Lexington Home Brands*

By: /s/ Timothy D. Pecsénye
Timothy D. Pecsénye

EXHIBIT A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
LEXINGTON FURNITURE INDUSTRIES, INC.
d/b/a LEXINGTON HOME BRANDS,

Plaintiff,

19 **CIVIL** 6239 (PKC)

-against-

JUDGMENT

THE LEXINGTON COMPANY, AB d/b/a THE
LEXINGTON CLOTHING COMPANY,
Defendant.

-----X

It is hereby **ORDERED, ADJUDGED AND DECREED:** That after a Jury Trial before the Honorable P. Kevin Castel, United States District Judge, Plaintiff Lexington Furniture Industries, Inc. d/b/a Lexington Home Brands has judgment in the amount of \$1.00 for nominal damages, \$1,641,963 for damages and \$925,000 for punitive damages for a total damage award of \$2,566,964 as against the Defendant The Lexington Company, AB d/b/a The Lexington Clothing Company.

DATED: New York, New York
June 2, 2022

RUBY J. KRAJICK

So Ordered:

Clerk of Court



U.S.D.J.

BY:



Deputy Clerk